

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

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|--|---|-------------------------|
| M.T., a minor by and through his grandmother | § | |
| and next friend, EDWINA WOODLEY, et al., | § | |
| | § | |
| Plaintiffs, | § | |
| | § | |
| vs. | § | C.A. NO.: 2:21-cv-00364 |
| | § | |
| TATUM UNIFIED SCHOOL DISTRICT, | § | |
| et al., | § | |
| | § | |
| Defendants. | § | |

TATUM INDEPENDENT SCHOOL DISTRICT'S
UNOPPOSED RENEWED MOTION FOR CONTINUANCE OF THE
NOVEMBER 4, 2024, TRIAL SETTING

Tatum Independent School District (the District) files this Unopposed Renewed Motion for Continuance of the November 4, 2024, Trial Setting as follows:

1. Following Plaintiffs' unopposed motion to continue the April 15, 2024, trial setting, the Court continued the trial in this matter to Monday, November 4, 2024. *See* Dkts. 135-136.

2. On April 1, 2024, the District filed an unopposed motion to continue the November 4, 2024, trial setting, stating that the District intended to call a Voter-Approval Tax Rate Election (VATRE) on the November 5, 2024, uniform election ballot, which would require multiple key witnesses to be at the District during the trial. *See* Dkt. 139.

3. On April 9, 2024, the Court entered an Order denying, without prejudice, the District's motion, stating, in pertinent part, that the "issue [was] not yet ripe for adjudication" as the VATRE could not be called until August of 2024. *See* Dkt. 140.

4. On August 12, 2024, at a lawfully called and noticed meeting of the District's Board of Trustees, the Board voted to call a VATRE to be placed as a measure on the November 5, 2024, uniform election ballot. *See* Affidavit of Dr. Richardson, attached as Exhibit 1.

5. As such, the upper-level administrators, including Superintendent J.P. Richardson and Assistant Superintendent Drenon Fite, will need to be at the District on November 4 and 5, 2024, and in the days prior to trial, to attend to any election related matters. *Id.* Superintendent Richardson and Assistant Superintendent Fite are named trial witnesses. *See id.*; *see also* Dkt. 93 at Exhs. A-B.

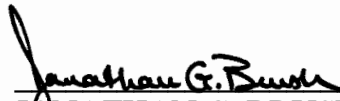
6. Accordingly, the District respectfully requests the Court continue the trial setting to a later setting. The District further requests that the Court not set trial during its Winter Break from December 20, 2024, through January 3, 2025, as staff and administrators will be unavailable during that time.

7. The District conferred with counsel for Plaintiffs. Plaintiffs are unopposed to the continuance of the November trial setting to a later date, but request the trial not be set on the following dates that Plaintiffs' counsel is unavailable: December 2-13, 2024; January 23-29, 2025; and February 18-28, 2025.

8. This request is not made for purposes of delay but so that justice will be done.

Respectfully submitted,

ROGERS, MORRIS, & GROVER, L.L.P.

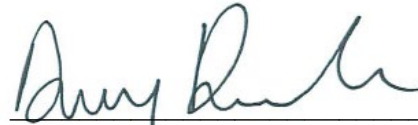


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ATTORNEYS FOR TATUM ISD

CERTIFICATE OF CONFERENCE

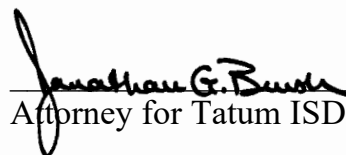
I hereby certify that I conferred with Plaintiffs' counsel, on August 13, 2024, via email regarding the relief requested herein. Plaintiffs are unopposed.



Attorney for Tatum ISD

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send electronic notification of such filing to all counsel of record.



Attorney for Tatum ISD